

1 THE HONORABLE THOMAS S. ZILLY
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 BUNGIE, INC.,

10 Plaintiff,

No. 2:21-cv-00811

11 v.
12 REVISED TRIAL EXHIBIT LISTS
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15 AIMJUNKIES.COM; PHOENIX
16 DIGITAL GROUP, LLC; DAVID
17 SCHAEFER; JORDAN GREEN;
18 JEFFREY CONWAY; and JAMES
19 MAY,
20 Defendants.

21 Plaintiff Bungie, Inc. (“Bungie” or “Plaintiff”) and Defendants AimJunkies.com, Phoenix
22 Digital Group, LLC (“Phoenix Digital”), David Schaefer, Jordan Green, Jeffrey Conway, and
23 James May (collectively, “Defendants”) jointly submit the following revised trial exhibit lists
24 attached hereto.

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REVISED TRIAL EXHIBIT LISTS
27 (No. 2:21-cv-00811) – 1

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Dated: November 29, 2023

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**REVISED TRIAL EXHIBIT LISTS
(No. 2:21-cv-00811) - 2**

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BUNGIE, INC.'S REVISED TRIAL EXHIBIT LIST - NOVEMBER 29, 2023

| Exhibit No. | Description | Admissibility Stipulated | Authenticity Stipulated / Admissibility Disputed | Authenticity Disputed | Admitted | Objection Basis / Notes |
|--------------------|--|---------------------------------|---|------------------------------|-----------------|--------------------------------|
| 1 | Bungie Destiny 2: Audiovisual Copyright Registration & Deposit Materials re U.S. Copyright Registration Number: PA 2-282-670 | X | | | | |
| 2 | Bungie Destiny 2: Software Code Copyright Registration & Deposit Materials re U.S. Copyright Registration Number: TX 8-933-655 | X | | | | |
| 3 | Bungie Destiny 2: Beyond Light Audiovisual Copyright Registration & Deposit Materials re U.S. Copyright Registration Number: PA 2-280-030 | X | | | | |
| 4 | Bungie Destiny 2: Beyond Light Software Code Copyright Registration & Deposit Materials re U.S. Copyright Registration Number: TX 8-933-655 | X | | | | |
| 5 | Bungie Destiny 2: Beyond Light Copyright Registration & Deposit Materials - video file titled: Beyond_Light_Launch_B_Roll_16x9_1080p 30_H264.mp4 | X | | | | |
| 6 | 2020-11-02 Video advertising cheat software | | | X | | Also, Relevance |
| 7 | 2020-11-02 Screenshot TikTok page with video | | | X | | Also, Relevance |
| 8 | Screenshots of cheat | | | X | | Also, Relevance |
| 9 | D2 Base (v1.0.5.0) Object Code.zip | | | X | | |
| 10 | D2 BeyondLight (v3.0.0.1) Object Code.zip | | | X | | |

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|--------------------|---|---------------------------------|---|------------------------------|-----------------|--------------------------------|
| 11 | Bungie LSLAs from January 2019 – August 24, 2021 | X | | | | |
| 12 | Phoenix Digital Group, LLC Agreement (January 2016) | X | | | | |
| 13 | J. May PayPal Account Information Sheet | | X | | | Relevance, Prejudice/Confusing |
| 14 | J. May PayPal Account Transaction Sheet | | X | | | Relevance, Prejudice/Confusing |
| 15 | J. May PayPal Account Transaction Sheet | | X | | | Relevance, Prejudice/Confusing |
| 16 | '7696 PayPal Account Information Sheet (AimJunkies.com account) | | X | | | Relevance, Prejudice/Confusing |
| 17 | Excel Spreadsheet filename: Transactions for PayPal Account 1609691869551427696.xlsx (AimJunkies.com account) | | X | | | Relevance, Prejudice/Confusing |
| 18 | 3990 PayPal Account Information Sheet | | X | | | Relevance, Prejudice/Confusing |
| 19 | 3990 PayPal Account Transaction Sheet | | X | | | Relevance, Prejudice/Confusing |
| 20 | '1346 PayPal Account Information Sheet (Virtual Advantage Account) | | X | | | Relevance, Prejudice/Confusing |
| 21 | '1346 PayPal Account Transaction Sheet (Virtual Advantage Account) | | X | | | Relevance, Prejudice/Confusing |
| 22 | '0031 PayPal Account Information Sheet (PDG Business account) | | X | | | Relevance, Prejudice/Confusing |
| 23 | '0031 PayPal Account Transaction Sheet (PDG Business Account) | | X | | | Relevance, Prejudice/Confusing |
| 24 | '0031 PayPal Account Transaction Sheet (PDG Business Account) | | X | | | Relevance, Prejudice/Confusing |

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| 25 | 0761 PayPal Account Information Sheet (Mombot Account) | | X | | | Relevance, Prejudice/Confusing |
| 26 | 0761 PayPal Account Transaction Sheet (Mombot Account) | | X | | | Relevance, Prejudice/Confusing |
| 27 | '3104 PayPal Account Information Sheet (Velocity Cheats account) | | X | | | Relevance, Prejudice/Confusing |
| 28 | '3104 PayPal Account Transaction Sheet (Velocity Cheats account) | | X | | | Relevance, Prejudice/Confusing |
| 29 | Screenshot from AJ website re Destiny 2 - Cheat Information | X | | | | |
| 30 | Aimjunkies.com Subscription Information page for Destiny 2 VIP Access cheat. Payment page. | X | | | | |
| 31 | Screenshot from AJ website support forum thread | X | | | | |
| 32 | Screenshot of Virtual Advantage website | X | | | | |
| 33 | Screenshot of archive.today historical web page re AJ website | X | | | | |
| 34 | Screenshot of AJ website | | X | | | Relevance |
| 35 | AimJunkies web page captured on December 20, 2022 | | X | | | Relevance |
| 36 | 2019-10-12 User report | | | X | | |
| 37 | Weekly Game Security Reports | | | X | | |
| 38 | November 2019 - January 2020 emails from AimJunkies.com to Schaefer | X | | | | |

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| 39 | J. May login notifications | | X | | | Relevance |
| 40 | PayPal receipt for purchase of cheat | X | | | | |
| 41 | 2020-10-14 Emails | | | X | | |
| 42 | 2020-11-04 Letter from M. Humphrey to J. Conway (Schaefer DX 43) | X | | | | |
| 43 | 2020-11-09 MSK Email to J. Green with letter attached | X | | | | |
| 44 | 2020-11-09 Email from MSK to Schaefer with letter attached | X | | | | |
| 45 | AimJunkies Twitter | | X | | | Relevance |
| 46 | Screenshot of 2020-11-11 Tweet by AimJunkies account | | X | | | Relevance |
| 47 | 2020-11-20 LTR Conway to Humphrey | X | | | | |
| 48 | 2021-06-29 Letter from K. Martin (prior counsel) to H. Simpkins | X | | | | |
| 49 | 2021-08-26 Email sent by D. Schaefer to Bungie's CEO, Pete Parsons | X | | | | |
| 50 | 2022-01-31 Press Release "Sony Interactive Entertainment to Acquire Leading Independent Videogame Developer, Bungie" https://www.sie.com/en/corporate/release/2022/220201.html (captured on June 9, 2022) | | X | | | Relevance |
| 51 | Website Asset Purchase Agreement. | X | | | | |

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|--------------------|---|---------------------------------|---|------------------------------|-----------------|--------------------------------|
| 52 | "Press release" from PDG / Blome | X | | | | |
| 53 | [removed] | | | | | |
| 54 | Banned player spreadsheet | | | X | | Relevance, Prejudice |
| 55 | Banned player appeal spreadsheet | | | X | | Relevance, Prejudice |
| 56 | James May ban history | X | | | | |
| 57 | Spreadsheet: 2022 09 15 Bungie - In Game Cheater Reports Oct 2019 through Feb 2021.csv | X | | | | |
| 58 | Stripe sales records produced by Defendants in first document production. October 2020 through January 2021 | X | | | | |
| 59 | Stripe Spreadsheet | X | | | | |
| 60 | 2022-01-10 Declaration of David Schaefer in Support of Defendants' Motion to Dismiss and/or Refer to Mandatory Arbitration (Dkt 28-5, 28-6) | X | | | | |
| 61 | 2023-04-10 Declaration of David Schaefer in Opposition to Plaintiff's Motion for Sanctions and to Compel Discovery (Dkt 107-4) | X | | | | |
| 62 | 2023-08-07 Declaration of James May in Opposition to Plaintiff's Motion for Summary Judgment (Dkt 175) | X | | | | |

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|-------------|---|--------------------------|--|-----------------------|----------|-------------------------|
| 63 | 2022-09-02 Defendant Phoenix Digital Group LLC's Responses to Plaintiff's First Set of Interrogatories Nos. 2, 6, 7 | X | | | | |
| 64 | 2023-03-03 Defendant James May's Responses to Plaintiff's Second Set of Interrogatories Nos. 6-8 | X | | | | |
| 65 | [removed] | | | | | |
| 66 | Expert CV of Steven Gurus | X | | | | |
| 67 | Screenshot filename: aimjunkies-install-instructions-1.png | | | X | | |
| 68 | Screenshot filename: aimjunkies-install-instructions-2.png | | | X | | |
| 69 | Screenshot filename: destiny2-ads-1.png | | | X | | |
| 70 | Screenshot filename: destiny2-ads-2.png | | | X | | |
| 71 | Screenshot filename: virustotal-aimjunkies-loader-archive.png | | | X | | |
| 72 | Screenshot filename: virustotal-aimjunkies-loader-executable.png | | | X | | |
| 73 | Virustotal screenshot | | | X | | |
| 74 | Expert CV of Drew Voth | X | | | | |
| 75 | Bungie GST guidelines | | | X | | Relevance |

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|-------------|---|--------------------------|--|-----------------------|----------|-------------------------|
| 76 | Data Ingestion Pipeline | | | X | | Relevance |
| 77 | 2020-10-14 Email Re: Bungie + CheckPoint/NovaCoast sync | | | X | | |
| 78 | 2021-01-06 Email Re: Bungie + CheckPoint/NovaCoast sync (with attachment) | | | X | | |

DEFENDANTS' REVISED TRIAL EXHIBIT LIST - NOVEMBER 29, 2023

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|-------------|--|--------------------------|--|-----------------------|----------|--|
| 100 | Expert Report – Brad LaPorte | | X | | | Hearsay (801). Prejudicial (403). Relevance (401). |
| 101 | Brad LaPorte Resume | X | | | | |
| 102 | Brad LaPorte Publications | | | X | | Hearsay (801). Relevance (401). Authenticity. |
| 103 | Amended Answer and Counterclaim (DKT#72) | | X | | | Hearsay (801). Prejudicial/confusing (403). Relevance (401). |
| 104 | BUNGIE_WDWA_0000409.XLSX | X | | | | |
| 105 | Bungie Privacy Policy (DKT#66-1) | X | | | | |
| 106 | Bungie LSLA (Dkt#34-1) | X | | | | |
| 107 | BUNGIE_WDWA_0000367 | X | | | | |
| 108 | BUNGIE_WDWA_0000479 | | X | | | Hearsay (801). Relevance (401). Lack of Foundation (602) |
| 109 | BUNGIE_WDWA_0000481 | X | | | | |
| 110 | BUNGIE_WDWA_0000482 | X | | | | |
| 111 | BUNGIE_WDWA_0000516-7 | | X | | | Relevance (401). |
| 112 | BUNGIE_WDWA_0000539 | X | | | | |
| 113 | BUNGIE_WDWA_0000540 | X | | | | |

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|-------------|--|--------------------------|--|-----------------------|----------|-------------------------|
| 114 | BUNGIE_WDWA_0000541 | X | | | | |
| 115 | BUNGIE_WDWA_0000368 (AEO) | X | | | | |
| 116 | BUNGIE_WDWA_0000410 (AEO) | X | | | | |
| 117 | BUNGIE_WDWA_0000412 (AEO) | X | | | | |
| 118 | BUNGIE_WDWA_0000416 (AEO) | X | | | | |
| 119 | BUNGIE_WDWA_0000417 (AEO) | X | | | | |
| 120 | BUNGIE_WDWA_0000419 (AEO) | X | | | | |
| 121 | BUNGIE_WDWA_0000420 (AEO) | X | | | | |
| 122 | BUNGIE_WDWA_0000421 (AEO) | X | | | | |
| 123 | BUNGIE_WDWA_0000463 (AEO) | X | | | | |
| 124 | Mann Declaration Exhibit A (DKT#191-1) | X | | | | |
| 125 | Mann Declaration Exhibit B (DKT#191-2) | X | | | | |
| 126 | Mann Declaration Exhibit C (DKT#191-3) | X | | | | |
| 127 | Mann Declaration Exhibit D (DKT#191-4) | X | | | | |
| 128 | Kaiser Declaration (DKT#36) | X | | | | |
| 129 | Kaiser Declaration (DKT#66) | X | | | | |

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|-------------|-----------------------|--------------------------|--|-----------------------|----------|-------------------------|
| 130 | BUNGIE_JAMS_0001026 | X | | | | |
| 131 | BUNGIE_JAMS_0001059 | X | | | | |
| 132 | BUNGIE_JAMS_0001061-2 | X | | | | |
| 133 | BUNGIE_JAMS_0001153 | X | | | | |
| 134 | BUNGIE_JAMS_0001383 | X | | | | |
| 135 | BUNGIE_JAMS_0000720 | X | | | | |